

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE BUSINESS AND LABOR COMMITTEE

Date: Monday, January 21, 2013
Place: Capitol

Time: 9:00 A.M.
Room: 172

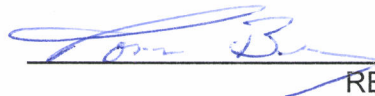
BILLS and RESOLUTIONS HEARD:

HB 197 - Expand drug & alcohol testing act to apply to all employees
HB 199 - Revising the authorized prices for a sports tab and earnings in a sports pool

EXECUTIVE ACTION TAKEN:

HB 22 - Do Pass as amended

Comments:



REP. Tom Berry, Chair

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS & LABOR COMMITTEE

DATE: 1/21/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. TOM BERRY, CHAIR	X	
REP. DAN SALOMON, VICE CHAIR	X	
REP. CARLIE BOLAND, VICE CHAIR	X	
REP. CHRISTY CLARK	X	
REP. AMANDA CURTIS	X	
REP. STEVE FITZPATRICK	X	
REP. EDWARD GREEF	X	
REP. ROGER HAGAN	X	
REP. CHUCK HUNTER	X	
REP. MIKE LANG	X	
REP. JONATHAN MCNIVEN	X	
REP. DAVID MOORE	X	
REP. REILLY NEIL		X
REP. PATRICIA PEPPERS		X
REP. GORDON PIERSON, JR	X	
REP. SCOTT REICHNER	X	
REP. CARY SMITH	X	
REP. CAROLYN SQUIRES	X	
REP. TOM STEENBERG	X	
REP. JEFFERY WELBORN	X	



HOUSE STANDING COMMITTEE REPORT

January 21, 2013

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Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 22** (first reading copy - white) **do pass as amended.**

Signed: 
Representative Tom Berry, Chair

And, that such amendments read:

1. Title, line 8 through line 9.

Strike: "CLARIFYING" on line 8 through "COUNTRY";" on line 9

2. Title, line 10.

Following: "MEETINGS;"

Insert: "MODIFYING MEMBERSHIP REQUIREMENTS FOR THE GUARANTY
ASSOCIATION BOARD OF DIRECTORS;"

3. Title, line 10.

Strike: "DEFINITIONS"

Insert: "DEFINITION"

Strike: "AND "PUBLIC ADJUSTER""

4. Title, line 15 through line 16.

Strike: "A" on line 15 through "COMPANY" on line 16

Insert: "ANY CAPTIVE INSURANCE COMPANY TO MAKE LOANS TO ITS
AFFILIATES"

5. Title, line 19.

Following: "33-4-302,"

Insert: "33-10-104,"

6. Title, line 20.

Following: "33-17-1101,"

Insert: "33-20-509,"

Committee Vote:

Yes 20, No 0

Fiscal Note Required ☐

HB0022001SC.hjk

DC 1-21-13

11:06

7. Page 8, line 26.

Strike: "within the United States"

Insert: "in any state"

8. Page 12, following line 25

Insert: "**Section 10.** Section 33-10-104, MCA, is amended to read:

"33-10-104. Board of directors -- commissioner approval -- compensation. (1) The board of directors of the association consists of not less than seven or more than nine persons serving terms as established in the plan of operation. Two of the members must be appointed from the public at large by the commissioner. The other members of the board must be member insurers and must be selected by member insurers subject to the approval of the commissioner. Vacancies on the board must be filled for the remaining period of the term in the same manner as initial appointments.

(2) In approving selections to the board, the commissioner shall consider among other things whether all member insurers are fairly represented.

(3) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board of directors.""

Renumber: subsequent sections

9. Page 15, line 22.

Strike: "solely"

10. Page 17, line 3.

Following: "of"

Insert: "business"

11. Page 17, line 24 through line 27.

Strike: line 24 through line 27 in their entirety

Insert: "(ii) if not a resident of this state, shall designate a home state in which the adjuster does not maintain a place of business or residence if:

(A) the adjuster's principal state of business or residence does not offer adjuster licensure; and

(B) the adjuster qualifies for the license as if the adjuster were a resident of the designated home state;"

12. Page 18, line 30 through page 19, line 4.

Strike: page 18, line 30 through page 19, line 4 in their entirety

Insert: "(ii) if not a resident of this state, shall designate a home state in which the consultant does not maintain a place of business or residence if:

(A) the consultant's principal state of business or residence does not offer consultant licensure; and

(B) the consultant qualifies for the license as if the

consultant were a resident of the designated home state."

13. Page 19, following line 29.

Insert: "Section 17. Section 33-20-509, MCA, is amended to read:

"33-20-509. **Maturity date.** For the purpose of determining the benefits calculated under 33-20-507 and 33-20-508, ~~in the case of annuity contracts under which an election may be made to have annuity payments commence at optional maturity dates,~~ the maturity date is the latest date for which election is permitted by the contract but may not be later than the anniversary of the contract next following the annuitant's 70th birthday or the 10th anniversary of the contract, whichever is later.""

Renumber: subsequent sections

14. Page 25, line 18.

Strike: "company"

Insert: "group"

15. Page 26, line 21.

Strike: "A pure"

Insert: "Any"

Strike: "or" through "company"

16. Page 26, line 22.

Strike: "its parent company or"

Insert: "any of its"

Strike: "to a parent company or any affiliate"

- END -

AUTHORIZED COMMITTEE PROXY

I request to be excused from the B&L

Committee because of other commitments. I desire to leave my proxy vote with:

V-Chair Bolano

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
Amendment	✓	
HB22 AS Amended	✓	

BILL/AMENDMENT	AYE	NO

Rep. Reilly, Neil
(Signature)

Date 1/21/13

AUTHORIZED COMMITTEE PROXY

I request to be excused from the

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT


AYE NO

BILL/AMENDMENT

AYE NO

[illegible][illegible]

Rep.


(Signature)

Date _____

1/21/13

**MONTANA House of Representatives
Visitors Register
HOUSE BUSINESS AND LABOR COMMITTEE**

Monday, January 21, 2013

HB 197 - Expand drug & alcohol testing act to apply to all employees

Sponsor: **Representative Champ Edmunds**

PLEASE PRINT

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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA House of Representatives
Visitors Register
HOUSE BUSINESS AND LABOR COMMITTEE**

Monday, January 21, 2013

HB 199 - Revising the authorized prices for a sports tab and earnings in a sports pool

Sponsor: Representative Pat Noonan

PLEASE PRINT[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.